

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: * Case No. 17-24220-GLT
David Wadsworth and Karen L. Wadsworth *
Debtor. *
***** *
David Wadsworth and Karen L. Wadsworth *
Movants, *
v. *
Westmoreland Community Federal Credit *
Union, now known as PHEPLE Federal *
Credit Union *
Respondents. *

**STIPULATION AND CONSENT ORDER FOR TREATMENT OF CLAIM 9 FILED BY
WESTMORELAND COMMUNITY FEDERAL CREDIT UNION (PHEPLE FEDERAL
CREDIT UNION)**

AND NOW comes David Wadsworth and Karen L. Wadsworth (“**Debtors**”) and Westmoreland Community Federal Credit Union, now known as PHEPLE Federal Credit Union (“**PHEPLE**”) who hereby agree to the following Stipulation and Consent Order as to the Plan Treatment of Claim 9 filed by PHEPLE.

WHEREAS, Debtors are individuals who filed chapter 13 bankruptcy on October 23, 2017; and

WHEREAS, PHEPLE filed Claim 9 on December 15, 2017; and

WHEREAS, Claim 9 validly lists a secured debt in the amount of \$11,405.00, secured by a 2012 Harley Davidson Motorcycle; and

WHEREAS, Debtors' filed a Chapter 13 Plan dated March 1, 2021 and the Plan was confirmed by Order dated March 22, 2021; and

WHEREAS, Debtors and PHEPLE agree that the payment under the confirmed Chapter 13 Plan dated, March 1, 2021 will not be sufficient to pay the secured claim of PHEPLE in full prior to the final payment due in the above captioned case, under the Plan.

WHEREAS, at the present time PHEPLE is agreeable to Debtors' reorganization and would like to attempt to avoid litigation and allow Debtors to use and retain the 2012 Harley Davidson Motorcycle and in exchange for PHEPLE receiving regular monthly payments pursuant to this Stipulation and incorporation into Debtor's Chapter 13 Plan of Reorganization.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, and intending to be legally bound hereby, Debtors and PHEPLE stipulate and agree, subject to the approval of the Bankruptcy Court, as follows:

1. The foregoing preamble is incorporated herein by reference as if set forth in its entirety.
2. As required under the Confirmed Plan dated March 1, 2021, PHEPLE shall be paid at the rate of \$152.00 per month towards its duly filed claim, for the life of the plan. All funds received shall be applied to the balance owed by Debtors.

3. PHEPLE and Debtors acknowledge that any balance due PHEPLE after the discharge or dismissal of the above captioned case shall remain due and owing by Debtors. No amount of Claim 9 shall be held dischargeable, nor should the lien be removed without full payment by Debtors.

4. Debtors agree to pay the remaining balance owed, under Claim 9, to PHEPLE by monthly installments of \$250.00, beginning the month after case closure and continuing until paid in full. PHEPLE shall provide Debtors monthly statements listing the amount due. Payments shall be due by the 15th of the month.

5. If the Debtors fail to make any payments by the 25th of the month, PHEPLE shall be authorized call the loan and repossess the 2012 Harley Davidson Motorcycle, after the closure of the above captioned case.

6. This Stipulation and Consent Order shall not survive the dismissal of the above captioned case.

[SIGNATURES OF THE COURT, COUNSEL FOR DEBTORS, AND COUNSEL FOR PHEPLE, APPEAR ON THE FOLLOWING PAGE]

STIPULATED AND AGREED TO THIS _____ day of _____, 2022 BY:

By: /s/ Corey J. Sacca
Corey J. Sacca, Esquire
PA I.D. No. 306741
20 N. Pennsylvania Avenue, Suite 201
Greensburg, PA 15601
Telephone: 724-832-2499
Facsimile: 724-836-0370
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Attorney for Debtors

By: /s/ Natalie Piscione
Natalie Piscione, Esquire
Covelli & Piscione Law Offices, P.C.
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357 Regis Avenue #1
Pittsburgh, PA 15236
412-653-5000
Email: npiscione@covellilaw.com

Attorney for PHEPLE Federal Credit
Union

SO ORDERED this 14th Day of November _____, 2022.

BY THE COURT:



Gregory J. Taddonio, Chief Judge
United States Bankruptcy Court

In re:
David Wadsworth
Karen L Wadsworth
Debtors

Case No. 17-24220-GLT
Chapter 13

District/off: 0315-2
Date Rcvd: Nov 14, 2022

User: auto
Form ID: pdf900

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Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 16, 2022:

Recip ID **Recipient Name and Address**
db/jdb + David Wadsworth, Karen L Wadsworth, 309 Baltimore Street, Belle Vernon, PA 15012-1562

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 16, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 14, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor VW Credit Inc. bnicholas@kmllawgroup.com
Corey J. Saccia	on behalf of Joint Debtor Karen L Wadsworth csacca@bononilaw.com coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecfmail@gmail.com;r39887@notify.bestcase.com;3230706420@filings.docketbird.com
Corey J. Saccia	on behalf of Debtor David Wadsworth csacca@bononilaw.com coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecfmail@gmail.com;r39887@notify.bestcase.com;3230706420@filings.docketbird.com
Kevin Scott Frankel	on behalf of Creditor Carrington Mortgage Services LLC, et al. pabk@logs.com, logsecf@logs.com

District/off: 0315-2

User: auto

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Date Recd: Nov 14, 2022

Form ID: pdf900

Total Noticed: 1

Kristen D. Little

on behalf of Creditor Carrington Mortgage Services LLC, et al. kdlittleecf@gmail.com

Kristen D. Little

on behalf of Creditor BANK OF AMERICA N.A. kdlittleecf@gmail.com

Natalie Norina Piscione

on behalf of Creditor Westmoreland Community Federal Credit Union covellilawoffices@yahoo.com ndantonio@covellilaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmevf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 10